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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/736,690	12/17/2003	Javier B. Arellano	P24306	4131

7055 7590 03/02/2007  
GREENBLUM & BERNSTEIN, P.L.C.  
1950 ROLAND CLARKE PLACE  
RESTON, VA 20191

EXAMINER
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PARKER, BRANDON

ART UNIT	PAPER NUMBER
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2174

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	03/02/2007	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 03/02/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

gbpatent@gbpatent.com  
pto@gbpatent.com

**Office Action Summary**

Application No.

10/736,690

Applicant(s)

ARELLANO ET AL.

Examiner

Brandon Parker

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: _____  |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :6/6/05, 01/18/05, 11/09/05, 07/01/04, 09/20/04, 10/14/04, 04/22/05

### **DETAILED ACTION**

Claims 1-24 are presented for examination

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-6 and 13-18 are rejected under 35 U.S.C. 102(b) as being anticipated by

Weber et al (US Patent 5,564,005) Weber hereinafter

Weber teaches

- a method for dynamically creating and delivering interactive personalized multimedia content in an electronic environment, comprising: (correlates to user information/personalized Abstract lines 1-7), (storage medium/computer readable medium storing, Weber Claim 1), (computer program/code for executing Col. 9 lines 43-46
- providing a narrative framework; sequencing and editing the narrative framework, based upon a user profile, to create a dynamically generated narrative; (recorded events, conceptual framework/narrative framework Col 9 line 48, Abstract lines 16-29)
- modifying the dynamically generated narrative based upon a delivery context; and rendering the modified narrative (Col 4 lines 40-44)

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Claim 13 is similar in scope to claim 1 and is therefore rejected under similar rationale.

With respect to claim 2

- a method comprising updating the user profile based on a user interaction history. (entering and storing/updating Abstract lines 1-3), (modification/updating Col 4 lines 40-44)

Claim 14 is similar in scope to claim 2 and is therefore rejected under similar rationale.

With respect to claim 3

- a method in which the user profile is created by gathering data from the user, analyzing a history of the user, monitoring data related to the user, and detecting patterns and trends of the user. (recalling memories/history, pattern, trends Col 4 40-44, compare/analyzing, determining/detecting Col 9 lines 29-32)

Claim 15 is similar in scope to claim 3 and is therefore rejected under similar rationale.

With respect to claim 4

- a method in which the delivery context comprises a display area (Col 5 lines 60-67)

Claim 16 is similar in scope to claim 4 and is therefore rejected under similar rationale.

With respect to claim 5

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- a method in which the delivery context comprises a network connection (Col 15 lines 50-56)

Claim 17 is similar in scope to claim 5 and is therefore rejected under similar rationale.

With respect to claim 6

- a method in which the narrative framework further comprises content elements, each content element comprising a plurality of types of representations having different media characteristics, facilitating modification based upon delivery context (manipulation/modification, pixels, symbols, numbers/media characteristics Col 9 19-26)

Claim 18 is similar in scope to claim 6 and is therefore rejected under similar rationale.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims ~~1-24~~, 7-12 and 19-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Williams et al (US Patent 5,945,988) Williams hereinafter

Williams teaches

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With respect to claim 7

Williams teaches

- a method for generating a personalized broadcast program guide (Col 4 lines 20-35) that suggest programs to a user the method comprising: creating a standard program schedule based upon an initial time period obtaining a profile of the user; selecting suggested programs based upon the user profile and the standard program schedule; (Col 13 lines 60-65), (Col 7 lines 33-36); resolving constraints specified by display rules; and displaying the suggested programs in accordance with the resolved constraints (parental controls/constraints, display rules Col 10 26-36)

Claim 19 is similar in scope to claim 7 and is therefore rejected under similar rationale.

With respect to claim 8

- Williams teaches a method for periodically refining the user profile (updated/refining Col 7 lines 52-57)

Claim 20 is similar in scope to claim 8 and is therefore rejected under similar rationale.

With respect to claim 9

- Williams teaches a method in which the user profile represents interests of the user (402/Fig. 4 Drawing), (Col 8 12-18)

Claim 21 is similar in scope to claim 9 and is therefore rejected under similar rationale.

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With respect to claim 10

- Williams teaches a method for dynamically assembling content, comprising:  
adapting the content to a user; adapting the content based upon available  
content; and adapting the content to a context at a delivery time.  
(customize/adapt Col 2 25-29), (Col 3 lines 1-5) (storage medium/computer  
readable medium storing, processor/processes source code Claim 1)

Claim 22 is similar in scope to claim 10 and is therefore rejected under similar rationale.

With respect to claim 11

- Williams teaches a method in which the context comprises a display area  
(518/Fig 5 Drawing)

Claim 23 is similar in scope to claim 11 and is therefore rejected under similar rationale.

With respect to claim 12

- Williams teaches a method in which the context comprises a network connection  
(524/Fig 5 Drawing)

Claim 24 is similar in scope to claim 12 and is therefore rejected under similar rationale.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure which relate to a determining template icons for document applications.



US Publication 2003/0020744 A1 discloses a client server electronic program guide.

US Patent 6037933 discloses a TV graphical user interface for providing user access to preset time periods of TV program information.

US Patent 6075575 discloses remote control device and method for using television schedule information.

US Publication 20020075320 discloses a method and apparatus for generating recommendations based on consistency of selection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon Parker whose telephone number is 571-270-1302. The examiner can normally be reached on Monday thru Friday 7:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-270-2302.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

BP  
2/05/2007

*Brandon Parker*

Brandon Parker  
Patent Examiner  
Art Unit 2174

*[Signature]*